

**REMARKS**

Original claims 1-9 and new claims 40 and 41 are pending. Claims 10-39 were not elected as part of a restriction requirement.

Claims 1-9 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,301,609 (Aravamudan et al). Aravamudan et al teaches the use of Instant Messaging (IM) buddy groups, and applies this technology to different types of clients, including personal computers, wired telephones and the like (col. 3, lines 32-37). However, the teachings are restricted to Instant Messaging. While embodiments of the claimed invention may also be applied to Instant Messaging, Applicants respectfully submit that the Aravamudan et al does not apply this technology to audio or video telephony; thus it does not, at very least, disclose "initiating an audio or video data call between at least one of said network subscribers and one or more of said plurality of network contacts in accordance with said presence information."

Applicants respectfully request the Examiner to withdraw the rejection.

**CONCLUSION**

Based on the foregoing, Applicants believe the application including claims 1-9 and 40-41 are in condition for allowance. If any issue remains, the Examiner is invited to telephone the undersigned on his direct phone number 619-744-2293.

Respectfully submitted,

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